



**Testimony of Roger Wise, Treasurer, Ohio Farmers Union
Submitted As Written
Ohio Senate Committee on Civil Justice
Hearing S.B. 296
November 12, 2014**

Chairman Coley, Vice-Chairman Obhof, Ranking Member Skindell and members of the Committee:

I am Roger Wise, currently treasurer of the Ohio Farmers Union and immediate past-president of OFU. Since 1934, the Ohio Farmers Union has been a civic voice in our state representing the interests of independent, family farmers. The majority of our 4,500 members own and operate family-sized farms ranging from row-crop commodity farmers to specialty crops and organics to livestock and dairy.

I am a farmer from Fremont, Ohio. Since college, I have spent my entire career farming and involved in issues of public policy that involve Ohio's family farmers.

Today, on behalf of the Ohio Farmers Union, and myself I testify in support of Senate Bill 296 sponsored by Senator Hite and co-sponsored by Senators La Rose and Seitz.

For the most part, farmers are a pragmatic lot. We tend to analyze issues with an open mind, and, like anyone else, with a bit of self-interest.

As you have heard in meetings or testimony, Ohio's ethanol industry is a key economic driver providing good jobs at ethanol plants and a broader market for farmers. The United States gets less dependent all the time on imports from foreign oil producers. While a great deal of attention is currently paid to the rejuvenation of the nation's – and Ohio's – oil and gas industry; the fact is that farmers – partnering with ethanol producers – have helped our state and nation down the path toward U.S. energy independence.

I am one of Ohio's 3,400 farmers who markets some or all of their harvest to ethanol producers. Agriculture is Ohio's largest industry and ethanol is a large part of that economy.

SB 296 would help to encourage more choice at Ohio's gas pumps. With clear labeling, and by following existing laws and regulations, under 296 Ohio's retail filling station operators would not be able to be held liable for mistakes made by customers in filling their tanks with the wrong fuel.

Farmers know about regulation. On my farm I comply with federal and state regulation. I know the same is true for retail fuel suppliers of all stripes, not just those dealing in gasoline.

Farmers have been told for some time by filling station operators that they fear installing more fuel choices at their pumps due to the threat that they could be sued if a motorist, for instance, pumps an incompatible fuel into their vehicle because they weren't paying attention to what they were doing. If there is clear labeling or signage and the filling station staff had nothing to do with a mistake such as this at the pump, the retailer should hold no liability.

As a farmer, I'm hopeful that SB 296 will provide more choice for consumers at the pumps because we will be explicitly telling retailers they are not responsible for customers who fuel their vehicles incorrectly.

Finally, as a farmer, I'm also for common-sense legislation that protects businesses that comply with their relevant laws and regulations - and clearly label their products - from nuisance lawsuits.

Thank you for your time today.

Respectfully Submitted
Roger Wise
Treasurer, Ohio Farmers Union